1894091

SOUTHERN ENVIRONMENTAL LAW CENTER

200 WEST FRANKLIN STREET, SUITE 330

Telephone 919-967-1450 Facsimile 919-929-9421 selcnc@selcnc.org

CHAPEL HILL, NC 27516-2559

Charlottesville, VA Chapel Hill, NC Atlanta, GA Asheville, NC Sewanee, TN

November 8, 2007

Mr. Charles L.A. Terreni Chief Clerk of the Commission SC Public Service Commission P.O. Drawer 11649 Columbia, SC 29211

RE:

Application of Duke Energy Carolinas, LLC for Approval of Energy

Efficiency Plan Including and Energy Efficiency Rider and Portfolio of

Energy Efficiency Programs

DOCKET NO.:

2007-358-E

Dear Mr. Terreni:

Enclosed please find for filing an original and (10) copies of the Petitions to Intervene of the Southern Environmental Law Center ("SELC"), the Coastal Conservation League ("CCL") and the Southern Alliance for Clean Energy ("SACE") in that above-captioned matter. By copy of this letter, I am serving all parties of record and requesting that each serve us with all outstanding motions or other pleadings, together with all discovery responses served to date and to be served.

I have enclosed an extra copy of these petitions which I would ask you to date stamp and return to me in the stamped self-addressed envelope enclosed for your convenience. If you have questions, please do not hesitate to contact us.

Sincerely,

Kate Double

Administrative Legal Assistant

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100% recycled paper

STATE OF SO	UTH CAROLINA	,			189409	
(Caption of Case) In the Matter of: Application of Duke Energy Carolinas, LLC for Approval of Energy Efficiency Plan Including an Energy Efficiency Rider and Portfolio of Energy Efficiency Programs)) BEFORE THE) PUBLIC SERVICE COMMISSION) OF SOUTH CARPLINA			
		ciency) ccy Rider)	COVER SHEET #2-2/5/08 1030 DOCKET NUMBER: 2007 - 358 - E			
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(Please type or print Submitted by:		an IV	SC Bar Number	72260		
Address:	J. Blanding Holma		SC Bar Number Felephone:		<u> </u>	
Addiess.	200 W. Franklin S		Fax:	(919)967-145 (919)929-942		
	Chapel Hill, NC 2'	1,7,7,7,7,7,7,7,7,7,7,7,7,7,7,7,7,7,7,7	Other:	()1)))2)-)42		
	cauper ram, 110 2			in@SELCNC.org		
☐ Emergency R	delief demanded in per	OCKETING INFOR			's Agenda expeditiously	
INDUSTRY (C	Check one)	NATU	RE OF ACTIO	N (Check all tha	t apply)	
⊠ Electric		Affidavit	Letter		Request	
Electric/Gas		Agreement	Memorandu	m		
☐ Electric/Teleco	mmunications	Answer			Request for Certificati	
☐ Electric/Water		rmsci	Motion		Request for Certificati Request for Investigation	
Electric/Water/		Appellate Review	☐ Motion ☐ Objection			
	Telecom.				Request for Investigatic	
☐ Electric/Water/		Appellate Review	☐ Objection ☐ Petition	Reconsideration	Request for Investigatic Resale Agreement	
		Appellate Review Application	Objection Petition Petition for	Reconsideration Rulemaking	Request for Investigatic Resale Agreement Resale Amendment	
Electric/Water/		Appellate Review Application Brief	Objection Petition Petition for Petition for		Request for Investigatic Resale Agreement Resale Amendment Reservation Letter	
☐ Electric/Water/☐ Gas		Appellate Review Application Brief Certificate	Objection Petition Petition for Petition for	Rulemaking tule to Show Cause	Request for Investigatio Resale Agreement Resale Amendment Reservation Letter Response	
☐ Electric/Water/☐ Gas☐ Railroad☐	Sewer	Appellate Review Application Brief Certificate Comments	Objection Petition Petition for Petition for Petition for F	Rulemaking tule to Show Cause	Request for Investigatio Resale Agreement Resale Amendment Reservation Letter Response Response to Discovery	
☐ Electric/Water/ ☐ Gas ☐ Railroad ☐ Sewer	Sewer	Appellate Review Application Brief Certificate Comments Complaint	Objection Petition Petition for Petition for Petition for F	Rulemaking tule to Show Cause ntervene tervene Out of Time	Request for Investigatic Resale Agreement Resale Amendment Reservation Letter Response Response Response to Discovery Return to Petition	
☐ Electric/Water/☐ Gas ☐ Railroad ☐ Sewer ☐ Telecommunic	Sewer	Appellate Review Application Brief Certificate Comments Complaint Consent Order	Objection Petition Petition for Petition for Petition for F Petition to I Petition to In	Rulemaking tule to Show Cause ntervene tervene Out of Time	Request for Investigatic Resale Agreement Resale Amendment Reservation Letter Response Response Response to Discovery Return to Petition Stipulation	
Electric/Water/ Gas Railroad Sewer Telecommunic Transportation	Sewer	Appellate Review Application Brief Certificate Comments Complaint Consent Order Discovery	Objection Petition Petition for Petition for Petition for F Petition to I Petition to In Prefiled Tes	Rulemaking tule to Show Cause intervene tervene Out of Time stimony	Request for Investigatic Resale Agreement Resale Amendment Reservation Letter Response Response to Discovery Return to Petition Stipulation Subpoena Tariff	
Electric/Water/ Gas Railroad Sewer Telecommunic Transportation Water	Sewer	Appellate Review Application Brief Certificate Comments Complaint Consent Order Discovery Exhibit	Objection Petition Petition for Petition for Petition for F Petition to I Petition to In Prefiled Tes	Rulemaking tule to Show Cause intervene tervene Out of Time stimony	Request for Investigatic Resale Agreement Resale Amendment Reservation Letter Response Response to Discovery Return to Petition Stipulation Subpoena Tariff	

STATE OF SOUTH CAROLINA

BEFORE THE PUBL	IC SER	VICE COMMISSION
DOCKET	NO. 20	007-358-E
In the Matter of:)	
Application of Duke Energy Carolinas,		SOUTHERN ENVIRONME STAL
LLC for Approval of Energy Efficiency)	LAW CENTER'S
Plan Including an Energy Efficiency Rid	er)	PETITION TO INTERVENE
and Portfolio of Energy Efficiency Progr	ams)	
)	
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The Southern Environmental Law Center ("SELC") hereby petitions the South Carolina Public Service Commission ("Commission") pursuant to R.103-825 of the Commission's rules, to intervene in this docket. In support of its petition, SELC states as follows:

- 1. The Southern Environmental Law Center ("SELC") is a non-profit regional environmental organization dedicated to the protection of natural resources in South Carolina and throughout the Southeast. SELC works to protect the health of North Carolina residents, including the organization's members in the state, by advocating for renewable energy and energy conservation and efficiency policies and for emissions reductions at electric utility plants in North Carolina. The address of SELC's Carolinas Office is: Southern Environmental Law Center, 200 W. Franklin St., Suite 330, Chapel Hill, NC 27516.
- 2. Many of SELC's members are customers of Duke Energy Carolinas.

 SELC and its members are interested in promoting greater reliance on energy conservation and efficiency to meet South Carolina's energy needs.

- 3. SELC and its members have a direct and material interest in the issues before the Commission in this docket and the interests of its members are not adequately represented by the current parties to this proceeding.
- 4. Given the state of the record at this early stage of the proceeding, SELC lacks sufficient information to develop and state its position at this time.
 - 5. SELC is represented by the following counsel in this proceeding:

J. Blanding Holman, IV
Marily Nixon
Gudrun Thompson
Southern Environmental Law Center
200 W. Franklin Street, Suite 330
Chapel Hill, NC 27516
Telephone: (919) 967-1450
Fax: (919) 929-9421

WHEREFORE, SELC prays that it be allowed to intervene in this matter.

Respectfully submitted this day of November, 2007.

J. Blanding Holman, IV, SC Bar No. 72260

Marily Nixon, NC Bar No. 33724

Gudrun Thompson, NC Bar No. 28829

Southern Environmental Law Center 200 W. Franklin Street, Suite 330 Chapel Hill, NC 27516

Telephone: (919) 967-1450

Fax: (919) 929-9421

CERTIFICATE OF SERVICE

I hereby certify that the following persons have been served with the Southern Environmental Law Center's Petition to Intervene either by electronic mail or by deposit in the U.S. Mail, postage prepaid:

Catherine E. Heigel, Assistant General Counsel Duke Energy Carolinas, LLC Post Office Box 1006, EC03T

Charlotte, NC, 28201-1066

Email: ceheigel@duke-energy.com

Nanette S. Edwards, Counsel Office of Regulatory Staff Post Office Box 11263 Columbia, SC, 29211

Email: nsedwar@regstaff.sc.gov

Frank R. Ellerbe III, Counselor Robinson, McFadden & Moore, P.C. P.O. Box 944 Columbia, SC, 29202

Email: fellerbe@robinsonlaw.com

This day of November, 2007.

J. Blanding Holman, IV Attorney for the Southern Environmental Law Center Scott Elliott, Counsel Elliott & Elliott, P.A. 721 Olive Street Columbia, SC, 29205 Email: selliott@elliottlaw.us

Bonnie D. Shealy, Counsel Robinson, McFadden & Moore, P.C. Post Office Box 944 Columbia, SC, 29202

Email: bshealy@robinsonlaw.com

STATE OF SO	UTH CAROLIN	VA.)			
(Caption of Case) In the Matter of: Application of Duke Energy Carolinas, LLC for Approval of Energy Efficiency) BEFORE THE) PUBLIC SERVICE COMMISSION) OF SOUTH CAROLINA)) COVER SHEET)			
)),	, (CCL"	
(Please type or print)					
Submitted by:	J. Blanding Ho	lman, IV	SC Bar Number:	72260		
Address:	Southern Envir	ronmental Law Center	Telephone:	(919)967-1450		
	200 W. Frankli	n Street, Suite 330	Fax:	(919)929-942	21	
	Chapel Hill, NO	C 27516	Other:			
NOTE: The sever	hoot and in G		Email: BHolman@SELCNC.org places nor supplements the filing and service of pleadings or other pa			
as required by law.	This form is required	d for use by the Public Service (cs nor supplements the fi	roling and service	of pleadings or other papers	
be filled out comple		· · · · · · · · · · · · · · · · · · ·	ommission of South Ca	tornia for the par	pose of docketing and must	
Other:	heck one)	NAT	URE OF ACTION	(Check all tha	of apply)	
⊠ Electric				(Check an tha		
Electric/Gas		☐ Affidavit	Letter		Request	
Electric/Gas Electric/Telecon	mmunications	Agreement	☐ Memorandum		Request for Certificati	
Electric/Water	illimanications	Answer	☐ Motion		Request for Investigation	
Electric/Water/Telecom.		Appellate Review	Objection	*	Resale Agreement	
Electric/Water/S		Application Brief	Petition		Resale Amendment	
Gas	Sewei	Certificate	Petition for Re	•	Reservation Letter	
Railroad		<u> </u>	Petition for Ru	Ü	Response	
		Comments	Petition for Rule		Response to Discovery	
Sewer	4:	Complaint	Petition to Inte		Return to Petition	
Telecommunica	itions	Consent Order		vene Out of Time	Stipulation	
Transportation		Discovery	Prefiled Testin	nony	Subpoena	
Water (Same		Exhibit	Promotion		☐ Tariff	
Water/Sewer	N. G. 44 - 11	Expedited Consideration		er ·	Other:	
Administrative 1	watter	Interconnection Agreeme	<u> </u>			
Other:		Interconnection Amendm		idavit		
		Late-Filed Exhibit	Report			

STATE OF SOUTH CAROLINA

BEFORE THE PUBLIC SERVICE COMMISSION

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STATE OF S	SOUTH (	CAROLINA		·夏克
BEFORE THE PUBL	IC SERV	VICE COMMISSIO	ON	
DOCKET	NO. 20	07-358-E <b>∮</b>	1	
In the Matter of:	)	V	<i>!</i> /	970 0
Application of Duke Energy Carolinas, LLC for Approval of Energy Efficiency	)	SOUTH CARC		
Plan Including an Energy Efficiency Ridand Portfolio of Energy Efficiency Progr		PETITION TO		
	)			

The South Carolina Coastal Conservation League ("CCL") hereby petitions the South Carolina Public Service Commission ("Commission") pursuant to R.103-825 of the Commission's rules, to intervene in this docket. In support of its petition, CCL states as follows:

- CCL is a nonprofit corporation organized under the laws of the State of 1. South Carolina. The principal address of CCL is P.O. Box 1765, Charleston, SC 29402. As an advocate for conservation and energy efficiency, CCL supports development of energy policy that is in the public interest of South Carolinians.
- CCL has members in South Carolina in who receive electricity service 2. from Duke Energy Carolinas, LLC ("Duke") who would be subject to direct impacts of Duke's energy efficiency plan, its associated energy efficiency rider, and its portfolio of energy efficiency program.
- CCL and its members have a direct and material interest in the issues 3. before the Commission in this docket and the interests of its members are not adequately represented by the current parties to this proceeding.

- 4. Given the state of the record at this early stage of the proceeding, CCL lacks sufficient information to develop and state its position at this time.
  - 5. CCL is represented by the following counsel in this proceeding:

J. Blanding Holman, IV
Marily Nixon
Gudrun Thompson
Southern Environmental Law Center
200 W. Franklin Street, Suite 330
Chapel Hill, NC 27516
Telephone: (919) 967-1450
Fax: (919) 929-9421

WHEREFORE, CCL prays that it be allowed to intervene in this matter.

Respectfully submitted this day of November, 2007.

J. Blanding Holman, IV, SC Bar No. 72260

Marily Nixon, NC Bar No. 33724

Gudrun Thompson, NC Bar No. 28829

Southern Environmental Law Center 200 W. Franklin Street, Suite 330 Chapel Hill, NC 27516

Telephone: (919) 967-1450

Fax: (919) 929-9421

Attorneys for CCL

### CERTIFICATE OF SERVICE

I hereby certify that the following persons have been served with the South Carolina Coastal Conservation League's Petition to Intervene either by electronic mail or by deposit in the U.S. Mail, postage prepaid:

Catherine E. Heigel, Assistant General Counsel Duke Energy Carolinas, LLC Post Office Box 1006, EC03T Charlotte, NC, 28201-1066

Email: ceheigel@duke-energy.com

Nanette S. Edwards, Counsel Office of Regulatory Staff Post Office Box 11263 Columbia, SC, 29211

Email: nsedwar@regstaff.sc.gov

Frank R. Ellerbe III, Counselor Robinson, McFadden & Moore, P.C. P.O. Box 944 Columbia, SC, 29202 Email: fellerbe@robinsonlaw.com

This  $\leq h$  day of November, 2007.

J. Blanding Holman, IV

J. Blanding Holman, IV

Attorney for South Carolina

Coastal Conservation League

Scott Elliott, Counsel Elliott & Elliott, P.A. 721 Olive Street Columbia, SC, 29205 Email: selliott@elliottlaw.us

Bonnie D. Shealy, Counsel Robinson, McFadden & Moore, P.C. Post Office Box 944 Columbia, SC, 29202 Email: bshealy@robinsonlaw.com

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STATE OF SO	UTH CAROLIN	NA )										
(Caption of Case) In the Matter of:  Application of Duke Energy Carolinas, LLC for Approval of Energy Efficiency Plan Including an Energy Efficiency Rider and Portfolio of Energy Efficiency Programs			BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  COVER SHEET  DOCKET NUMBER: 2007 - 358 - E									
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(Please type or print	)		·		0,00							
Submitted by:	J. Blanding Ho	lman, IV	SC Bar Number:	72260								
Address:	Southern Envir	ronmental Law Center	Telephone:	(919)967-1450								
	200 W. Frankli	n Street, Suite 330	Fax:	(919)929-942								
	Chapel Hill, NO	C 27516	Other:									
		contained herein neither replace	Email: BHolman	@SELCNC.org								
☐ Emergency R	elief demanded in	DOCKETING INFO	•		') 's Agenda expeditiously							
		NAT	NATURE OF ACTION (Check all that apply)									
		Affidavit	Letter		Request							
☐ Electric/Gas		Agreement	Memorandum	l	Request for Certificati							
☐ Electric/Teleco	mmunications	Answer	Motion		Request for Investigation							
☐ Electric/Water		Appellate Review	Objection	•	Resale Agreement							
☐ Electric/Water/Telecom.		Application	Petition		Resale Amendment							
☐ Electric/Water/	Sewer	☐ Brief	Petition for R	econsideration	Reservation Letter							
Gas		Certificate	Petition for R	ulemaking	Response							
Railroad		Comments	Petition for Ru	le to Show Cause	Response to Discovery							
Sewer		Complaint	Petition to Int	ervene	Return to Petition							
Telecommunic	ations	Consent Order	Petition to Inter	rvene Out of Time	Stipulation							
☐ Transportation		Discovery	Prefiled Testi	mony	☐ Subpoena							
Water		Exhibit	Promotion		Tariff							
☐ Water/Sewer		Expedited Considerati	on Proposed Ord	er	Other:							
☐ Administrative	Matter	Interconnection Agreeme	<del></del>		<del></del>							
Other:		☐ Interconnection Amenda		fidavit								
		Late-Filed Exhibit	Report									

## STATE OF SOUTH CAROLINA

## BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF SOU	TH CAROLINA
BEFORE THE PUBLIC S	SERVICE COMMISSION
DOCKET NO	D. 2007-358-E
In the Matter of:	)
Application of Duke Energy Carolinas,	) SOUTHERN ALLIANCE FOR
LLC for Approval of Energy Efficiency	) CLEAN ENERGY'S
Plan Including an Energy Efficiency Rider and Portfolio of Energy Efficiency Programs	) PETITION TO INTERVENE

Southern Alliance for Clean Energy ("SACE") hereby petitions the South Carolina Public Service Commission ("Commission") pursuant to R.103-825 of the Commission's rules, to intervene in this docket. In support of its petition, SACE states as follows:

- SACE is a nonprofit corporation organized under the laws of the State of 1. Tennessee. The principal address of SACE is P.O. Box 1842, Knoxville, TN 37901-1842. The North Carolina Office of SACE is located at 29 North Market Street, Suite 409, Asheville, NC 28801. One purpose of SACE is to advocate for energy plans, policies and systems that best serve the environmental, public health and economic interest of the communities in the Southeast.
- Many of SACE's members are customers of Duke Energy Carolinas. SACE and its members are interested in promoting greater reliance on energy conservation and efficiency to meet South Carolina's energy needs.

- 3. SACE and its members have a direct and material interest in the issues before the Commission in this docket and the interests of its members are not adequately represented by the current parties to this proceeding.
- 4. Given the state of the record at this early stage of the proceeding, SACE lacks sufficient information to develop and state its position at this time.
  - 5. SACE is represented by the following counsel in this proceeding:

J. Blanding Holman, IV Marily Nixon Gudrun Thompson Southern Environmental Law Center 200 W. Franklin Street, Suite 330 Chapel Hill, NC 27516 Telephone: (919) 967-1450

Fax: (919) 929-9421

WHEREFORE, SACE prays that it be allowed to intervene in this matter.

Respectfully submitted this 2th day of November, 2007.

J. Blanding Holman, IV, SC Bar No. 72260 Marily Nixon, NC Bar No. 33724

Gudrun Thompson, NC Bar No. 28829

Southern Environmental Law Center 200 W. Franklin Street, Suite 330 Chapel Hill, NC 27516 Telephone: (919) 967-1450

Fax: (919) 929-9421

Attorneys for SACE

### CERTIFICATE OF SERVICE

I hereby certify that the following persons have been served with Southern Alliance for Clean Energy's Petition to Intervene either by electronic mail or by deposit in the U.S. Mail, postage prepaid:

Catherine E. Heigel, Assistant General Counsel Duke Energy Carolinas, LLC Post Office Box 1006, EC03T Charlotte, NC, 28201-1066 Email: ceheigel@duke-energy.com

Elliott & Elliott, P.A.
721 Olive Street
Columbia, SC, 29205
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Scott Elliott, Counsel

Nanette S. Edwards, Counsel Office of Regulatory Staff Post Office Box 11263 Columbia, SC, 29211 Email: nsedwar@regstaff.sc.gov Bonnie D. Shealy, Counsel Robinson, McFadden & Moore, P.C. Post Office Box 944 Columbia, SC, 29202 Email: bshealy@robinsonlaw.com

Frank R. Ellerbe III, Counselor Robinson, McFadden & Moore, P.C. P.O. Box 944 Columbia, SC, 29202 Email: fellerbe@robinsonlaw.com

This Sh day of November, 2007.

J. Blanding Holman, IV

J. Blanding Holman, IV

Attorney for Southern Alliance
for Clean Energy

